

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING AGENDA  
JANUARY 4, 2010  
6:30 P.M.**

**I. Call to Order**

**II. Invocation/Pledge of Allegiance**

**III. Adjustments/Approval of Agenda**

**IV. Public Comments**

**V. Approval of Consent Agenda**

**A. Minutes**

1. **December 7, 2009 Regular Meeting Minutes**..... pg. 1-22

**B. Tax**

1. **Monthly Tax Collection Report November 2009** ..... pg. 23-26  
2. **August 2009 Motor Vehicle Valuation & Levy** ..... pg. 27-30  
3. **Tax Releases for December 2009** ..... pg. 31-40

- C. **Finance** ..... pg. 41-49

**General Fund:**

**Revenues:**

<b>Local Option Sales Tax-Article 44</b>	<b>100000-323401</b>	<b>\$15,000</b>
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**Expenditures:**

<b>Transfer to DSS</b>	<b>109800-498014</b>	<b>\$15,000</b>
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**DSS Fund-Administration:**

**Revenues:**

<b>Transfer from General Fund</b>	<b>149800-398110</b>	<b>\$15,000</b>
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**Expenditures:**

<b>Medical Assistance</b>	<b>145310-439801</b>	<b>\$15,000</b>
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The State assumed the responsibility of Medicaid from the Counties with a corresponding reduction in Local Option Sales Tax revenue provided to the Counties. The County did not budget for any Medicaid expenditures in FY 2010. The County has earned more in Local Option Sales Tax Article 44 than budgeted. The County is incurring expenditures for Medicaid claims due to the run out period for services provided in a prior period. The above amendment is requested to appropriate the Local Option Sales Tax-Article 44 to for the approximate \$15,000 of Medicaid claims that the State will hold the County responsible for in FY 2010.

**General Fund:****Revenues:**

<b>Local Option Sales Tax-Article 44</b>	<b>100000-323401</b>	<b>\$59,000</b>
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**Expenditures:**

<b>Capital Outlay-Improvements</b>	<b>104270-459000</b>	<b>\$59,000</b>
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The County is incurring expenditures for a storage vehicle parking lot. The current project appropriation is \$15,000 with expenditures for engineering and surveying incurred to date of \$15,219.03. The County Engineer estimated that an additional \$59,000 is needed to complete the project. The recommended funding source is the Local Option Sales Tax-Article 44 which was budgeted at \$345,368 with actual year to date collections of \$738,057.93 resulting in a positive budget balance of \$392,689.93. Article 44 Collections are anticipated to cease in January 2010 due to the Medicaid swap.

**General Fund- Master Gardener's Restitution:****Expenditures:**

Horticulture Program Expenditures	104950-449954	\$(795)
Grant Subsidy Expenditures	104957-465500	<u>\$795</u>
<b>Total</b>		<b>\$0</b>

The above amendment is to transfer funds from the horticulture program to the master gardener's program for the master gardener's restitution grant final accounting refund payable to the Department of Juvenile Justice and Delinquency Program. The Master Gardener's program under expended DJJDP grant funds in the restitution line item. The excess funds must be refunded to the DJJDP.

**General Fund- Cooperative Extension:****Revenues:**

SHIIP Grant Revenues	104950-332051	\$3,018
4-H Club Fundraisers	104950-335031	\$3,211
Miscellaneous Revenues	104950-383958	<u>\$733</u>
<b>Total</b>		<b>\$6,962</b>

**Expenditures:**

SHIIP Grant Expenditures	104950-449953	\$3,018
4-H Club Program	104950-449952	\$3,211
Postage	104950-432500	<u>\$733</u>
<b>Total</b>		<b>\$6,962</b>

The above amendment is recommended to appropriate revenues in the Cooperative Extension Budget. Cooperative Extension received a SHIP Grant from the Department of Insurance in the amount of \$3,018 and raised funds for 4-H programs in the amount of \$3,211. Miscellaneous revenues in the amount of \$733 have been received and are being requested for appropriation to the postage costs for this fiscal year.

**Health Fund- Community Health Program:**

Revenues:

<b>State Revenue Restricted</b>	<b>135156-332000</b>	<b>\$3,272</b>
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Expenditures:

<b>Special Program Material</b>	<b>135156-423100</b>	<b>\$3,272</b>
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The above amendment is requested to appropriate funding authorized by the State of North Carolina providing an additional \$3,272. The funds are to reimburse Community Health Promotions for efforts implementing and enforcing new smoking laws in restaurant and lodging establishments.

**General Fund- Sheriff's Department:**

Revenues:

<b>Insurance Proceeds</b>	<b>100000-383913</b>	<b>\$24,809</b>
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Expenditures:

Repair & Maintenance – Vehicles	104310-435300	\$3,209
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Capital Outlay-Vehicles	104310-454000	<u>\$21,600</u>
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<b>Total</b>		<b>\$24,809</b>
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The above budget amendment is to appropriate insurance proceeds for the sheriff's department replacement vehicle and repair of vehicles. The funds will replenish expenditures made prior to the receipt of the insurance proceeds.

**General Fund- 13<sup>th</sup> District Teen Court:**

Revenues:

<b>Fund Balance Appropriated</b>	<b>100000-399100</b>	<b>\$17,558</b>
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Expenditures:

<b>Miscellaneous Expense</b>	<b>104306-449900</b>	<b>\$17,558</b>
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The above budget amendment is to appropriate unexpended funds provided to Teen Court from Communities in Schools that were unexpended as of 6/30/09 for program expenditures in the current fiscal year.

**General Fund- Sheriff's Department:**

Revenues:

<b>State Revenues- Restricted</b>	<b>104310-332000</b>	<b>\$9,650</b>
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Expenditures:

Capital Outlay- Equipment	104310-455000	\$5,000
Minor Operating Equipment	104310-426100	<u>\$4,650</u>

<b>Total</b>		<b>\$9,650</b>
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The above budget amendment is for the award of Grant # K8-0-02-31 from the NC Department of Transportation's Governor's Highway Safety Program for the purchase of checkpoint equipment for conducting safety and DWI checkpoints.

**General Fund- Sheriff's Department:**

Revenues:

State Revenues- Restricted	104310-332000	\$92,980
Fund Balance Appropriated	100000-399100	<u>\$(92,980)</u>

<b>Total</b>		<b>\$0</b>
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The above budget amendment is for the award of Grant # PT-10-03-04-06 from the NC Department of Transportation's Governor's Highway Safety Program for the second year in a three year grant. We originally budgeted \$69,735, but the federal award amount is \$162,715 for a funding increase of \$92,980 resulting in a fund balance reduction of the same amount. The result is to return the funds to the County's Fund Balance.

**School Capital Projects Fund:**

Revenues:

<b>NC Education Lottery Revenue</b>	<b>428006-332850</b>	<b>\$1,279,296</b>
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Expenditures:

<b>NC Education Lottery Expenditure</b>	<b>428006-464103</b>	<b>\$1,279,296</b>
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The above budget amendment is to appropriate NC Education Lottery funds awarded through the Public School Building Capital Fund in the amount of \$1,279,296. These funds were approved for the following projects:

South Brunswick Middle School – Access Road Improvements	\$57,000
West Brunswick High School – Access Road Improvements	\$45,000
West Brunswick and South Brunswick High School – Fire Alarm System	\$60,000
Shallotte, South Brunswick, and Leland Middle Schools- Replace windows and exterior doors, etc.	\$1,117,296

**County of Brunswick, North Carolina  
School Category I Project 428006**

Be it ordained by the Board of County Commissioners of Brunswick County that pursuant to Section 13.2 of the General Statutes of North Carolina, the following ordinance is hereby adopted:

Section 1. The following amounts are hereby appropriated in the Brunswick County School Capital Projects Fund and County Schools Capital Reserve Fund and the County Special Schools Capital Reserve Fund and the General Fund for the Schools Category I Project:

**Schools Capital Project Fund:****Revenues:**

NC Education Lottery	\$1,683,946
Trans from General Fund	\$372,871
Trans from Special Schools Capital Reserve	\$3,356,626.31
Transfer from Schools Capital Reserve	<u>\$13,465,255.08</u>
<b>Total School Capital Project Fund Revenues</b>	<b><u>\$18,878,668.39</u></b>

**Expenditures:**

Special School Capital Reserve Fund (Excess Collections Ad Valorem)	\$3,356,626.31
School Capital Reserve Fund Sales Tax	\$13,465,255.08
General Fund Hold Harmless Medicaid Swap	\$372,871
Proceeds NC Education Lottery Expenditure	<u>\$1,683,946</u>
<b>Total School Capital Project Fund Expenditures</b>	<b><u>\$18,878,668.39</u></b>

Section 2. This Capital Project Ordinance shall be entered into the minutes of the January 4, 2010 meeting of the Brunswick County Board of Commissioners.

**General Fund- Parks & Recreation Department:****Revenues:**

<b>Cape Fear RC&amp;D Contributions</b>	<b>106133-333100</b>	<b>\$3,211</b>
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**Expenditures:**

Capital Outlay-Brunswick Nature	106133-457110	\$3,211
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The above budget amendment is for the re-designation of the award of a contribution from Cape Fear RC&D in the amount of \$3,211.32 provided to the County in 2002 for the boat ramp in the Town Creek area. Marilyn Meares, Coordinator for Cape Fear RC&D approved the designation of the funds for the Brunswick Nature Park.

**General Fund:****Revenues:**

Local Option Sales Tax Article 44	100000-323401	\$121,157
<u>Expenditures</u>		
Service Charges on Debt	109100-475100	\$190,798
Transfer to Special School Capital Reserve	109800-498024	\$(69,641)
<b>Total</b>		<b>\$121,157</b>

#### **Special School Capital Reserve**

##### Revenues:

<b>Transfer from General Fund</b>	<b>249800-398110</b>	<b>\$(69,641)</b>
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##### Expenditures

<b>Undesignated Fund</b>	<b>249800-464299</b>	<b>\$(69,641)</b>
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Brunswick County refunded School General Obligation School Bonds Series 2001 in August 2009. The County paid issuance costs of \$190,798 from county funds associated with the debt issue. Due to the funding agreement with the Board of Education, both the schools and the county will save in excess of \$1 million over the term of the debt after issuance costs. The school savings are estimated at \$365,000. Under the agreement, general obligation debt is subtracted from ad valorem revenues before calculating the amount to be provided to the schools. The budget amendments above appropriate local option sales tax collected in excess of amounts budgeted for the county portion of the issuance costs of \$121,157 and prior year excess collections due to the school for the school portion of the issuance costs of \$69,641.

#### **County Capital Reserve Fund:**

Fund Balance Appropriated	269800-399100	\$50,000
Transfer to County Capital Reserve	269800-498043	\$50,000

#### **County Capital Project Fund- Avalon:**

##### Revenues:

<b>Transfer from County Capital Reserve</b>	<b>438193-398226</b>	<b>\$50,000</b>
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##### Expenditures:

<b>Legal and Engineering Professional Fees</b>	<b>438193-464001</b>	<b>\$50,000</b>
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The above budget amendments and capital project ordinance below are to transfer \$50,000 from the County Capital Reserve for appropriation to the Avalon Capital Project for legal fees associated with the bonds for the project in anticipation of replenishment of funds upon receipt from the bonding company.

**County of Brunswick, North Carolina**  
**Avalon Project 438193**

Be it ordained by the Board of County Commissioners of Brunswick County that pursuant to Section 13.2 of the General Statutes of North Carolina, the following ordinance is hereby adopted:

Section 1. The following amounts are hereby appropriated in the Brunswick County Capital Projects Fund for the Avalon Project:

**County Capital Project Fund:**

Revenues:

Transfer from County Capital Reserve	<u>\$200,000</u>
<b>Total County Capital Project Fund Revenues</b>	<b><u>\$200,000</u></b>

Expenditures:

Legal and Engineering Professional Fees	\$100,000
Land	<u>\$100,000</u>
<b>Total County Capital Project Fund Expenditures</b>	<b><u>\$200,000</u></b>

Section 2. This Capital Project Ordinance shall be entered into the minutes of the January 4, 2010 meeting of the Brunswick County Board of Commissioners.

**Water Capital Reserve Fund:**

Miscellaneous Water System Projects	639800-464235	\$156,806.97
Transfer to Water Capital Project	639800-498041	(\$156,806.97)

**Water Capital Project Fund-2007 Subdivision Petition Line Extensions:**

Revenues:

<b>Trans from County Capital Reserve</b>	<b>418246-398663</b>	<b>(\$156,806.97)</b>
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Expenditures:

Construction	418246-464002	(\$114,268.08)
Professional Fees	418246-464001	(\$0.89)
Contingency	418246-499100	<u>(\$42,538.00)</u>
<b>Total</b>		<b>(\$156,806.97)</b>

The above budget amendments and capital project ordinance below are to close the remaining balance in the 2007 Subdivision Petition Capital Project and return the excess funds of \$156,806.97 to the County Capital Reserve for future project designations by the Board of Commissioners.

**County of Brunswick, North Carolina  
2007 Subdivision Petition Project 418246**

Be it ordained by the Board of County Commissioners of Brunswick County that pursuant to Section 13.2 of the General Statutes of North Carolina, the following ordinance is hereby adopted:

Section 1. The following amounts are hereby appropriated in the Brunswick County Capital Water Projects Fund for the 2007 Subdivision Petition Project:

**Water Capital Project Fund:**

**Revenues:**

Transfer from Water Capital Reserve	<u>\$1,177,573.03</u>
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**Expenditures:**

Legal and Engineering Professional Fees	\$178,361.11
Construction	<u>\$999,211.92</u>

<b>Total Water Capital Project Fund</b>	<b><u>\$1,177,573.03</u></b>
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**Expenditures**

Section 2. This Capital Project Ordinance shall be entered into the minutes of the January 4, 2010 meeting of the Brunswick County Board of Commissioners

- D. **JCPC-Revised Funding Allocation Grid for Juvenile Crime Prevention Council**..... pg. 50-52  
Staff requests approval of revised funding allocation for Brunswick County JCPC and the associated FY 2009-2010 budget amendment.
- E. **Operation Services-Driveway Repair for Hope Harbor Home** ..... pg. 53-54  
Staff requests approval from the request from Hope Harbor Home.
- F. **EMS-Disaster Recovery Plan Adoption** ..... pg. 55-56  
Staff requests approval of the Disaster Recovery Plan as presented.
- G. **EMS-Hurricane/Disaster Debris Removal Interlocal Agreement**..... pg.57-62  
Staff requests approval of the Hurricane/Disaster Debris Removal Interlocal Agreement as presented.
- H. **EMS-Hazardous Materials Planning Grant Agreement**..... pg. 63-71



Staff requests approval of the Hazardous Materials Planning Grant Agreement and the associated FY 2009-2010 budget amendment.

**I. Finance-US Bank National Association Agreement ..... pg. 72-75**

Staff requests to authorize the Finance Officer to execute the Resignation, Appointment and Acceptance Agreement between First Citizens Bank and Trust Company, US Bank National Association and Brunswick County.

**J. Operation Services-Water Management Project WBHS Culvert Extension ..... pg. 76-79**

Staff requests approval of the Water Management Project at West Brunswick High School as presented.

**K. Administration-Resolution Opposing Senate Bill 758 ..... pg. 80-82**

Staff requests Adoption of the Resolution to Oppose the Transfer of Secondary Road Program to Counties.

**L. Planning-USDA Housing Preservation Grant Rehab Contracts..... pg. 83-84**

Staff request approval of the Award of Four USDA Housing Preservation Rehabilitation Contracts as presented.

**M. Utility Operations-Operations Center Phone System Installation with Embarq..... pg. 85-90**

Staff requests approval of a purchase order in the amount of \$51,793.83 for installation of phone system at the new Public Utilities Operations Center.

**N. Utility Operations-Catlin Engineers and Scientists Agreement NW Water Treatment Upgrades ..... pg. 91-99**

Staff requests approval of an Agreement with Catlin Engineers and Scientists and the associated budget amendment and capital project ordinance.

**O. Utility Operations-Waive Formal Bid Requirements for Pre-Owned Sewer Pump and Haul Truck ..... pg. 100-103**

Staff requests approval to Waive Formal Bid Requirements and approve the Purchase Agreement for a pre-owned sewer pump and haul truck from National Truck Center.

**P. Engineering-Final Adjusting Change Order Water Service Area System Improvements Project at Carolina Shores North ..... pg. 104-109**

Staff requests approval of the Final Adjusting Change Order for the contract of Herring Rivenbark, Inc. for the 2008-2009 Water System Improvements.

**Q. NC Department of Transportation-SR-2 Resolution for Trucking Lane NE..... pg. 110-115**

Staff requests approval of a SR-2 Resolution for Trucking Lane NE.

**VI. Presentation**

**1. Mary Earp-Order of the Long Leaf Pine Recognition (Huey Marshall)..... pg. 116**

**2. Eagle Scout Daniel Hagan (Huey Marshall – Commissioner Phillips) ..... pg. 117**

**3. Southeastern Center for Mental Health Facility Construction Financial Model (Chris Coudriet)..... pg. 118-134**

**VII. Public Hearing**

**1. Planning-Proposed Map Amendment Z-09-651 (Leslie Bell) ..... pg. 135-146**

Planning Staff recommends approval to C-LD for both Tax Parcels.

Planning Board recommends approval to C-LD for only one tax parcel (1890000112) 5 to 2 with Commissioner Warren and Dr. Flythe opposing.

2. **Planning-Proposed UDO 09-10 (Leslie Bell)**..... pg. 147-151  
Planning Staff and Planning Board recommend approval.

3. **Utilities-Proposed Revised Water Shortage Response Plan (Jerry Pierce)** ..... pg. 152-160  
Staff recommends conducting a Public Hearing to receive input on the revisions to the Water Shortage Response Plan and approve the Amended Plan.

#### **VIII. Administrative Report**

1. **Planning-UDO Text Amendment UDO-09-11(Leslie Bell)** ..... pg. 161-165  
Staff recommends setting a Public Hearing for February 1, 2010 at 6:30 p.m.

2. **EMS-Monitor/Defibrillator Contract with Zoll Medical Corporation (Brian Watts)**..... pg. 166-173  
Staff recommends approving the Contract with Zoll Medical Corporation for the purchase of 18 Monitor/Defibrillators and 20 Automatic External Defibrillators and the associated budget amendment.

3. **Utility Operations-W. K. Dickson Contract for NE Wastewater Transmission System (John Nichols)** ..... pg. 174-192  
Staff recommends approval of the Engineering Contract with W. K. Dickson Consulting Engineers for the Evaluation of the Northeast Wastewater Transmission System and the associated budget amendment and capital project ordinance.

4. **Utility Operations-NE Sewer Transmission Isolation Valve Installation (John Nichols)** pg. 193-194  
Staff recommends approval of the installation of isolation valves within the Northeast Regional Sewer Transmission Main System and the associated budget amendment and capital project ordinance.

5. **Utility Operations-Final Adjusting Change Order with TARA Group (John Nichols)**.. pg. 195-204  
Staff recommends approval of the Final Adjusting Change Order to the Contract of the TARA Group of Lumberton, Inc. for Phase I Sewer Transmission Improvements.

6. **Utility Operations-Industrial Park Force Main Change Order with AECOM (John Nichols)** ..... pg. 205-215  
Staff recommends approval of a Change Order to the Contract of AECOM in the amount of \$87,898 for the design of the Highway 74/76 Force Main Project and the associated budget amendment and capital project ordinance.

7. **Utility Operations-Wastewater Collection System Connection Assistance Program (Jerry Pierce)** ..... pg. 216-224  
Staff recommends approval of the Wastewater System Connection Assistance Program for low to moderate and handicapped property owners in the Calabash Service Area.

8. **Engineering-Criser Troutman Tanner Contract Award/Spring Lake at Maritime Shore Subdivision (Jeff Phillips)** ..... pg. 225-231  
Staff recommends awarding the Contract to Criser, Troutman, Tanner for inspection and final certification of stormwater system as Spring Lake at Maritime Shores and the associated budget amendment and capital project ordinance.

9. **Administration-Complete Count Committee Appointment (Marty Lawing)** ..... pg. 232-245  
Staff recommends appointing a Complete Count Committee for Brunswick County.
10. **Administration-CGI Communication Inc. Agreement (Steve Stone)** ..... pg. 246-250  
Staff recommends approval of the Agreement with CGI Communications, Inc.
11. **Finance-Ordinance of Mandatory Connection, Amended (Marty Lawing)** ..... pg. 251-254  
Staff recommends approval of Amendments to the Mandatory Connection Ordinance as presented.
12. **Planning-Professional Service Agreement with Benjamin Quattlebaum (Leslie Bell)** ... pg. 255-266  
Staff recommends approval of Countywide Community Development Corporation's Request to Fund Tax Credit Application Fee of \$5,500.
13. **Administration-Contract to Purchase C&D Landfill Expansion Site (Steve Stone)**

**IX. Board Appointments**

1. **Southport Planning Board ETJ Appointment** ..... pg. 267-268

**X. County Attorney's Report**

1. **Deed of Dedication Brunswick Plantation NW Tract**..... pg. 269-279  
2. **Deed of Dedication St. James Plantation, The Reserve, Moss Hammock**..... pg. 280-289  
3. **Closed Session**

**XI. Other Business/Informal Discussion**

1. **Schedule Workshop on Countywide Recycling**  
2. **Discussion of FY 2010-2011 Budget Process**

**XII. Adjournment**